

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

PENNAR SOFTWARE CORPORATION,	:	CIVIL ACTION NO. 1:02-CV-0413
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
FORTUNE 500 SYSTEMS, LTD.,	:	
	:	
Defendant	:	

ORDER

_____AND NOW, this 6th day of January, 2006, upon consideration of the motion (Doc. 226), filed by Attorney Karim P. Husain (“Attorney Husain”), to withdraw as counsel for plaintiff, averring that plaintiff has failed to cooperate with Attorney Husain in the preparation of this case, that an officer for plaintiff, Naren Chaganti (“Chaganti”), signed and filed a responsive brief using Attorney Husain’s name without Attorney Husain’s permission, and that Attorney Husain cannot continue representing plaintiff “within the bounds of the Rules of Professional Conduct,” see PA. RULES OF PROF. CONDUCT R. 1.16 (regarding termination of attorney-client relationship), and upon further consideration of defendant’s motion to dismiss and for sanctions (Doc. 229), requesting that the above-captioned action be dismissed for Chaganti’s violations of rules and orders court prohibiting him from filing documents in this case (see Doc. 211; see also Docs. 199, 204), see FED. R. CIV. P. 41(b) (“For failure of the plaintiff . . . to comply with these rules or any order of

court, a defendant may move for dismissal of an action or of any claim against the defendant.”), it is hereby ORDERED that:

1. The pre-trial and trial schedule in this case is STAYED.
2. With respect to the motion to withdraw (Doc. 226):
 - a. On or before January 13, 2006, Plaintiff shall file, UNDER SEAL AND SUBJECT TO THE PENALTIES OF PERJURY, an affidavit showing cause why the motion (Doc. 226) should not be granted. The affidavit shall address each of the allegations set forth in the motion, including but not limited to the alleged unauthorized signing and filing of a document under Attorney Husain’s name.
 - b. On or before January 20, 2006, Attorney Karim P. Husain shall be permitted to file, UNDER SEAL AND SUBJECT TO THE PENALTIES OF PERJURY, an appropriate response.
3. With respect to the motion to dismiss and for sanctions (Doc. 229):
 - a. Defendant shall file a brief in support of the motion on or before January 13, 2006. Failure to comply with this paragraph will result in the motion being deemed withdrawn. See L.R. 7.5.
 - b. Plaintiff shall file, on or before January 20, 2006, a response showing cause why the motion (Doc. 229) should not be granted and this case dismissed pursuant to FED. R. CIV. P. 41(b), or pursuant to the court’s inherent authority. Failure to comply with this paragraph will result in the motion being deemed unopposed. See L.R. 7.6.
4. No other briefing shall be permitted absent leave of court.
5. The court shall decide, based on the briefs submitted, whether to schedule a hearing on the motions.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge